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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,461	07/24/2003	Wendy Eason	60027.0351US01/BS02512	1318
23552	7590	11/05/2008		
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			EXAMINER BROWN, CHRISTOPHER J	
			ART UNIT 2434	PAPER NUMBER
			MAIL DATE 11/05/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/626,461

Applicant(s)

EASON, WENDY

Examiner

CHRISTOPHER J. BROWN

Art Unit

2434

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-20 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
3) ☐ Information Disclosure Statement(s) (PTO/SG/US)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

Response to Arguments

Applicant's arguments with respect to claims 1-20 have been considered but are not persuasive.

Applicant argues that Meffert is silent with regards to write protect logic and sending the message to a recipient.

Examiner argues that Meffert first teaches encryption which prevents and recipient from writing/editing the message except an authorized recipient. Further, Meffert teaches use of DRM, [0093] and "the recipient is blocked from editing the text in the message upon saving" [0094]. Thus the message is also write protected, even from the authorized recipient as taught in Meffert.

The rejection below is substantially similar to the previous non-final rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(c) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 9, 11, and 15-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Meffert US 2003/0037261.

As per claims 1, and 11 Meffert teaches message composition logic to composer a message to at least one recipient (email composer) [0083]. Meffert teaches logic protection to protect the message against subsequent alteration by the at least one recipient upon receiving a user indication to enable the write protect logic (specialized button to encrypt and sign to create a package) [0083]. Meffert teaches conversion of a format of a text a body of the message to a format protected against alterations (encrypted package remains encrypted on recipients machine, signed to prevent alteration, DRM digital shredding, blocked from editing) [0083], [0093]-[0095].

As per claim 9, the logic allows the user to compose a new message [0083].

As per claim 10, the logic allows a plurality of options including enabling write protect (specialized button) [0083].

As per claim 15 where the logic enables the user to choose whether to protect the message or not (specialized button) [0083]

As per claim 16, the content in the body of the message is sent in a write protected format (encrypted with signature, blocked from editing) [0083], [0094].

As per claim 17 the message is stored on a central server [0077].

As per claim 18 the message can be downloaded for viewing [0098].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-8, 12-14, 10, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meffert US 2003/0037261 in view of Throop US 2003/0145057

As per claims 2, Meffert fails to teach converting the text into a picture format.

Throop teaches converting the body of the message from text to an image (step 110)

[0032]. It would have been obvious to one of ordinary skill in the art to use the graphical conversion of Throop with the security of Meffert because it allows viewing without specific fonts.

As per claim 4 Meffert teaches the email is stored on a central server [0077].

As per claims 6, and 14 Throop teaches conversion of the body txt of a message to an image [0077]. The examiner takes official notice that a jpg file is a well known image file

As per claims 7, and 13 Throop teaches conversion of the body txt of a message to an image [0077]. The examiner takes official notice that a gif file is a well known image file

As per claims 8 and 12 Throop teaches conversion of the body txt of a message to an image [0077]. The examiner takes official notice that a pdf file is a well known image file

As per claims 3, 19, 5, and 20, the examiner takes official notice that it is well known in the art to attach images or files, inline, or as an attachment with email.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER J. BROWN whose telephone number is (571)272-3833. The examiner can normally be reached on 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on (571)272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher J Brown/
Primary Examiner, Art Unit 2434

11/3/08